

**Maryland Board of Pharmacy
Public Board Meeting**

**Meeting Minutes
July 19, 2017**

Name	Title	Present	Absent	Present	Absent
Board Committee					
Ashby, D.	Commissioner	X			
Bouyoukas, S.	Commissioner	X			
Evans, K.	Commissioner	X			
Gavgani, M.	Commissioner/President		X		
Hardesty, J.	Commissioner	X			
Leikach, N.	Commissioner	X			
Morgan, K.	Commissioner/Treasurer	X			
Oliver, B.	Commissioner	X			
Peters, R.	Commissioner	X			
St. Cyr, II, Z. W.	Commissioner/Secretary	X			
Toney, R.	Commissioner	X			
Yankellow, E.	Commissioner	X			
Board Counsel					
Bethman, L.	Board Counsel	X			
Felter, B.	Staff Attorney	X			
Board Staf					
Speights-Napata, D.	Executive Director	X			
Fields, E.	Deputy Director of Operations	X			
Evans, T.	Pharmacist Inspector	X			
Brand, E.	Licensing Manager	X			
Logan, B. JB Janey Patin (call center head)	Legislation/Regulations Manager	X			

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
		<p>b. Pharmacy Contraceptive Workgroup</p> <p>c. Pharmacist and Pharmacy Technician Rehabilitation Services Provider Solicitation</p> <p>d. Opioid Prescribing Policy Lisa Burgess, M.D. Chief Medical Officer, Maryland Department of Health</p> <p>e. Naloxone Distribution and Access in Maryland and Maryland's Standing Order Kirsten Forseth, MPH Maryland Department of Health</p> <p>f. USP 800 Overview Thomas Evans Pharmacist Inspector Maryland BOP</p>	<p>Surveyor position will begin in August.</p> <p>b. Meetings will begin on July 20. The group is set to meet three times before September 1.</p> <p>c. There were no attendees at the pre-bid meeting on the Board's solicitation for a new Rehabilitation Services provider.</p> <p>d. A presentation was made on opioid use in Maryland and the state's new prescribing guidelines, followed by Q&A from the Board and audience.</p> <p>e. The presenter provided an overview of the opioid epidemic in Maryland and the harm reduction in this state resulting from the distribution and use of Naloxone.</p> <p>The USP 800 guidelines describe practice and quality standards for handling hazardous drugs in healthcare settings and help promote patient safety, worker safety, and environmental protection. The overview was followed by Q&A from the Board and audience. Facility compliance with these guidelines is</p>	

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		2. Meetings Update	likely to be costly; enforcement by Pharmacy Boards is unclear and a topic of debate. None																					
B. Operations Report	E. Fields, Deputy Director/Operations	1. Administration and Public Support (APS) Unit Updates 2. Management Information Systems (MIS) Unit Updates 3. Budget Update	1. None 2. The six-month contract to develop the mobile inspection tool ends on Friday. The engagement went smoothly and inspectors currently are using the tool in their field inspections. 3. The total revenue for FY 2017 is \$6.3 million with an expected \$2.4 million fund balance to carry forward in FY 2018.																					
C. Licensing	E. Brand, Compliance Manager	1. Unit Updates 2. Monthly Statistics <table border="1"> <thead> <tr> <th>License Type</th><th>New</th><th>Renewed</th><th>Reinstated</th><th>Total</th></tr> </thead> <tbody> <tr> <td>Distributor</td><td>33</td><td>176</td><td>0</td><td>1,280</td></tr> <tr> <td>Pharmacy</td><td>22</td><td>0</td><td>1</td><td>2,112</td></tr> <tr> <td>Pharmacist</td><td>80</td><td>410</td><td>0</td><td>11,388</td></tr> </tbody> </table>	License Type	New	Renewed	Reinstated	Total	Distributor	33	176	0	1,280	Pharmacy	22	0	1	2,112	Pharmacist	80	410	0	11,388		
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D. Compliance	T. Evans, Pharmacist Inspector	<p>1. Unit Updates</p> <p>2. Monthly Statistics</p> <p>Complaints & Investigations:</p> <p>New Complaints – 27 Resolved (Including Carryover) –55 Actions within Goal – 44/55 Final disciplinary actions taken – 10 Summary Actions Taken – 2 Average days to complete – 0</p> <p>Inspections:</p> <p>Annual Inspections – 104 Opening Inspection – 10 Closing Inspections – 4 Change Inspections – 0 Special Investigations - 3</p>																											
E. Legislation & Regulations	B. Logan, Legislation and	<u>1. COMAR 10.34.02.03 D Proof of Proficiency in English</u>	1. Bill signed and was posted on June 23 rd , with effective date of July 3 rd .																										

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	Regulations Manager	<p><u>2. COMAR 10.34.37 Pharmacy Permit Holder Requirements — Wholesale Distribution and Non-Resident Pharmacy Operations</u></p> <p><u>3. COMAR 10.34.05.05 Security Responsibility.</u></p> <p><u>4. COMAR 10.34.34.05 Pharmacy Students.</u></p> <p><u>5. COMAR 10.34.40 Pharmacist Administration of Self-Administered Drugs</u></p>	<p>2. Posted for comments on July 7th in the MD Registry. The Open comment period ends August 7th. If no comments are received, the Board may be able to adopt the regulation at its August meeting.</p> <p>3. Regulations to be completed by July 30th.</p> <p>4. A notice of proposed action was submitted based upon non-substantive, formatting comments; recommended changes to Section D; a new section will be added and resubmitted.</p> <p>5. The first stakeholders workgroup meeting will be held on July 20th. The final regulation is due on September 1, 2018.</p>	
III. Committee Reports A. Practice Committee	R. Peters, Chair	<p><u>1. Contraceptives in Vending Machines</u></p> <p><u>2. Jeff Kunkel</u></p>	<p>1. The committee re-reviewed this request based upon the presentations and discussion at the BOP's June public meeting. Continuing concerns were raised with regard to access to the medication and the absence of counseling. The committee noted that the BOP has no regulatory authority in this area and recommends the Board make no recommendation to the Deputy Secretary, 2nd by J. Hardesty.</p>	<p>1. The Board voted to approve this action.</p>

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		<p>In order to be part of the solution to the opioid epidemic, our hospital and our outpatient pharmacy are looking to take proactive steps to help place Narcan (the agent used to reverse the effects of opioids) into the hands of patients and caregivers in need in response to the new standing order placed on 06/01/17 by Dr. Howard Haft. I would like to explain a process and determine if this is within the scope of MD Pharmacy Law.</p> <p>Our outpatient pharmacy would like to package Narcan Kits (containing Narcan, 2 CPR shields, and rubber gloves) and label the product with a label with all necessary label requirements except patient name, RX #, expiration date, and date filled. Our pharmacy would place this product into our emergency room automated dispensing device (PYXIS) as we are an Ambulatory Care pharmacy within an acute care hospital. When a patient presented to the emergency room (after our pharmacy has closed) the emergency room would dispense the Narcan Kit and complete the balance of the label (patient name, RX #, expiration date, and date dispensed.)</p> <p>Upon dispensing (by next day), our Emergency department will provide us a log with (patient name, RX #, expiration date, and date dispensed) and our pharmacy will then enter the "RX" into our pharmacy dispensing system for record keeping purposes and affix the RX#, date, expiration date, and specific patient to the RX.</p> <p>The notables here are we will have a pharmacist either on site in the hospital or on call and available via phone 24/7 when both our inpatient pharmacy and outpatient pharmacy are closed. So it would be</p>	<p>2. Motion to approve response as prepared, 2nd by R. Toney.</p>	<p>2. The Board voted to approve this motion.</p>

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		<p>feasible to have the product dispensed when no pharmacist was present in the building.</p> <p>Response: The Board reviewed your proposal regarding alternative options to dispensing Narcan when the hospital pharmacy is closed. If the hospital wishes to utilize an automated medication system to dispense naloxone under the auspices of the hospital pharmacy permit, the system must comply with the Board's automation regulations, COMAR 10.34.28.05. The regulations require, among other things, that a pharmacist reviews each order for medication: (1) after the order has been entered into the system; and (2) before the system permits access to the medication. Alternatively, the attending physician in the emergency room may dispense the Naloxone if the physician has a dispensing permit from the Board of Physicians. The Board recommends that you present this issue to the appropriate committee within your facility to determine the mechanism that will best suit the needs of your patients</p>		
B. Licensing Committee	D. Ashby, Chair	<p>1. Review of Pharmacist Applications:</p> <p>a) I. Lio- Email request of NAPLEX score transfer extension. She graduated in 2016 and score transferred to MD. She applied to MD as an exam applicant with her NAPLEX score only valid for one year, until June 3, 2017. She is requesting that the Board grant her a NAPLEX score transfer extension for up to four months, until October 3, 2017, to ensure that her application and scores will still be valid when she takes the MPJE exam a second time.</p>	1a. Motion by committee to approve, 2 nd by N. Leikach.	1a. The Board voted to approve this motion.

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		<p><u>Licensing Committee's Recommendation:</u> Board states that pharmacist has to be readily available at the pharmacy for at least a portion of the time.</p> <p>6. Review of Pharmacy Technicians Training Programs:</p> <p>a) Brightwood College- Requesting approval as a training program. <u>Licensing Committee's Recommendation:</u> Approve</p> <p>7. New Business:</p> <p>a) Vaccination Registration Application- Update to Vaccine application to include training received in Pharmacy school. <u>Licensing Committee's Recommendation:</u> Approve</p>	<p>6a. Motion by committee to approve. 2nd by E. Yankellow.</p> <p>7a. following discussion, a substitute motion to table discussion for further committee review and language drafting was made by R. Toney, 2nd by J. Hardesty.</p>	<p>6a. The Board voted to approve this motion.</p> <p>7a. The Board voted to approve this motion.</p>
C. Public Relations Committee	E. Yankellow, Chair	<p>Annual CE Breakfast will be held on October 22nd this year. The presenters and agenda have been confirmed and the Board approved at its June meeting a one-time honorarium for one of the presenters. The presentations will be available by webinar. Board staff will have additional training for the webinar production.</p> <p>The deadline for Newsletter article submission is August 19th, for articles to be printed in the Newsletter that will be released at the end of the summer.</p>		
D. Disciplinary	K. Morgan, Chair	<p>Disciplinary Committee Update <i>None at this time.</i></p>		

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E. Emergency Preparedness Task Force	N. Leikach, Chair	Emergency Preparedness Update: The next meeting will be held on September 13th.		
IV. Other Business & FYI	M. Gavvani, President			
V. Adjournment	M. Gavvani, President	<p>Z.St. Cyr, II, asked for a motion to close the Public Meeting and open a Closed Public Session at 12:10 PM.</p> <p>Z. St. Cyr, II, convened a Closed Public Session for the purpose of engaging in medical review committee deliberations regarding confidential information in applications in accordance with the Open Meetings Act, General Provisions Article, Section3-305 (b) (7) and (13).</p> <p>The Closed Public Session was adjourned and immediately thereafter, Z. St. Cyr, II, convened an Administrative Session for purposes of discussing confidential disciplinary cases. With the exception of cases requiring recusals, the Board members present at the Public Meeting continued to participate in the Administrative Session.</p>	Motion to close Public Board Meeting by D. Ashby, 2 nd by K. Evans.	The Board voted to approve this motion.